

Defendant(s).

No. 21-cv-2916(     ) (OTW)

Revised: March 8, 2018

**3. Subjects on Which Discovery May Be Needed**

Plaintiff:

Defendants' general business operations / practices

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Defendant:

Evidence of alleged willfull conduct including but not limited to Plaintiff's general business practices;  
the manner in which Plaintiff distributes his works and to whom.

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**4. Informal Disclosures**

The information required by Rule 26(a)(1) of the Federal Rules of Civil Procedure was disclosed by Plaintiff(s) on \_\_\_\_\_. In addition, on July 27, 2021, Plaintiff(s) produced/will produce an initial set of relevant documents identified in its Initial Disclosures and will continue to supplement its production.

The information required by Rule 26(a)(1) of the Federal Rules of Civil Procedure was disclosed by Defendant(s) on \_\_\_\_\_. In addition, on July 27, 2021, Defendant(s) produced/will produce an initial set of relevant documents identified in its Initial Disclosures and will continue to supplement its production.

**5. Formal Discovery**

The parties jointly propose to the Court the following discovery plan:

a. All fact discovery must be completed by November 10, 2021.

b. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court,

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provided that the parties meet the deadline for completing fact discovery set forth in 3(a) above.

- i. Depositions: Depositions shall be completed by 10/13/21 and limited to no more than 3 depositions per party. Absent an agreement between the parties or an order from the Court, non-party depositions shall follow initial party depositions.
- ii. Interrogatories: Initial sets of interrogatories shall be served on or before 9/13/21. All subsequent interrogatories must be served no later than 30 days before the discovery deadline.
- iii. Requests for Admission: Requests for admission must be served on or before 10/13/21.
- iv. Requests for Production: Initial requests for production were/will be exchanged on 8/13/21 and responses shall be due on 9/13/21. All subsequent requests for production must be served no later than 30 days before the discovery deadline.
- v. Supplementation: Supplementations under Rule 26(e) must be made within a reasonable period of time after discovery of such information.

#### 6. Anticipated Discovery Disputes

Are there any anticipated discovery disputes? Does either party seek limitations on discovery? Describe.

N/A

#### 7. Amendments to Pleadings

- a. Are there any amendments to pleadings anticipated? No
- b. Last date to amend the Complaint: September 13, 2021

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**8. Expert Witness Disclosures**

At this time, the parties do not anticipate utilizing experts. Expert discovery shall be completed by \_\_\_\_\_.

**9. Electronic Discovery and Preservation of Documents and Information**

a. Have the parties discussed electronic discovery? Yes

b. Is there an electronic discovery protocol in place? If not, when the parties expect to have one in place? No. By September 13, 2021

c. Are there issues the parties would like to address concerning preservation of evidence and/or electronic discovery at the Initial Case Management Conference?

No

**10. Anticipated Motions**

No

**11. Early Settlement or Resolution**

The parties have discussed the possibility of settlement. The parties request a settlement conference by no later than August 13, 2021. The following information is needed before settlement can be discussed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**12. Trial**

a. The parties anticipate that this case will be ready for trial by November 13, 2021

b. The parties anticipate that the trial of this case will require 3 days.

c. The parties do consent to a trial before a Magistrate

Judge at this time.

d. The parties request a jury trial.

13. **Other Matters**

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Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_.

ATTORNEYS FOR PLAINTIFF(S):



Plaintiff Pro-se

ATTORNEYS FOR DEFENDANT(S):

/s/ David K. Hou

David K. Hou, Esq.